

REMARKS

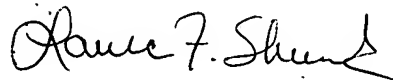
This amendment is filed in response to the Office Action of August 27, 2003, with a two month extension of time, and to the telephone interview of December 11, 2003. The courtesy of the Examiner in that interview is very much appreciated. Matters discussed during the interview include the DeCaro, Limpert, and Rosenman references. Further the amendment of the claims as presented herein was discussed as overcoming the art of record. Accordingly, the following amendments are made herein: Claims 1- 8 have been cancelled and replaced with new claims 19-53. Independent claims 19, 30, 40 and 50 incorporate the subject matter of claim 5. There are now 35 claims and 4 are independent. There were previously 5 independent claims, and 18 total. A check is enclosed to cover the 15 claims in excess of 20 claims.

Claims 1-4 and 7-18 are rejected under 35 U.S.C. §101 as claiming the invention of prior U.S. Patent No. 5,662,683. These claims have been cancelled. Claims 5 and 6 are rejected under the judicially created doctrine of obviousness type double patenting over the '683 patent in view of US Patent No. 4,762,453. A terminal disclaimer is filed herewith to overcome the primary reference. A complete set of the drawings as were originally filed with the PCT application is enclosed herewith. No new matter is added by these drawings.

It is respectfully submitted that the claims are now in condition for allowance, and notice to such effect is earnestly solicited.

Respectfully submitted,

HUDAK, SHUNK & FARINE CO. LPA



Laura F. Shunk
Registration No. 31,423

LFS/sms

2020 Front Street, Suite 307
Cuyahoga Falls, OH 44221
Tel: 330/535-2220
Fax: 330/535-1435

ATTORNEY DOCKET NO. ORTHO-A-CIP-PCT-US